

December 23, 2007

Reference: Application 10/605,354

To: Gordon, Brian R
Art Unit 2353

RESPONSE TO NON-FINAL ACTION.

Dear Sir,

Cited prior art (US 7,157,053) can not be considered as anticipating claims 79-82 of instant invention. While there are definite common elements of design exist in both, the intentions and the use of the elements are fundamentally different. Hahn et al. describes and anticipates use of light only and strictly as a mean of detection of substance of interest. This approach is well known and has at least a century long history. In particular most common optical detection methods are classified as: adsorption, scattering, reflection, and luminescence. Yet, Hahn et al. explicitly limit their disclosure and claims to absorbance detection, thus dismissing all other viable methods of detection that can be equally potent.

The instant invention claims 79-82 do not even use a concept of detection. Any chemical compound or other physical matter of interest considered therein is not subject of detection and light is not used as detection means at all. Instant invention employs photon pressure effect to propel substances of interest thus moving them from one location to another. Disclosed process requires only source of light, so no detector is present. Detector is critical and fundamental part of cited prior art disclosure and all claims made by Hahn et al. Besides Hahn et al. do not mention that light might be used for any other purpose other then detection, so such effects as chemical activations, resonant adsorption, luminescence, heating, propulsion, concentration, trapping, etc. were neither disclosed nor anticipated by them.

This makes instant invention clearly unrelated to US 7,157,053.

Regards,

A handwritten signature in black ink, appearing to read 'Igor Touzov', with a long horizontal stroke extending to the right.

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